

### **REJECTION OF CLAIMS 1-40 UNDER 35 USC §103**

In the Office Action, the Examiner rejected claims 1-40 under 35 USC §103 as being unpatentable over the admitted prior art in view of RFC 2002 Perkins, ED Mobile IP, ('RFC 2002' hereinafter). This rejection is fully traversed below.

Claim 1 recites, in part, a network device which supports Mobile IP adapted for updating a counter associated with a mobile node's activity and sending an accounting request identifying the mobile node and including the counter to a server adapted for recording accounting information associated with the mobile node. Neither of the references, separately or in combination, disclose or suggest the invention of claim 1.

Claim 3 is drawn to a server configured to receive an accounting request from a network device which supports mobile IP, the accounting request identifying a mobile node, the server adapted for storing accounting information for a plurality of mobile nodes and logging accounting information associated with the mobile node in response to the accounting request, where the accounting request includes at least one counter associated with the accounting information. The cited references neither disclose nor suggest such a server.

With respect to claims 1, 3, 10, 13, 23, 27, 37, and 39, the Examiner admits that the admitted prior art neither discloses nor suggests sending an accounting request including the counter to a server adapted for recording accounting information associated with the mobile node. The Examiner seeks to cure the deficiencies of the admitted prior art with RFC 2002, referring to page 15, lines 1-5. However, Applicant was unable to locate a reference in RFC 2002 that discloses or suggests sending by a network device of an accounting request identifying a mobile node and including a counter associated with a mobile node's activity (and updated by the network device) to a server adapted for recording accounting information associated with the mobile node. Rather, page 15, lines 1-5 of Applicant's reference copy of RFC 2002 relates to agent advertisement and solicitation messages. Accordingly, it is

respectfully submitted that the Examiner has failed to prove a prima facie case of obviousness. Accordingly, it is submitted that claims 1, 3, 10, 13, 23, 27, 37, and 39 are patentable over the cited references.

With respect to claims 2, 5, 9, 15-17, 20, 25, 29-31, and 34, the Examiner admits that the admitted prior art neither discloses nor suggests that the counter indicates a number of packets received by the mobile node or a number of packets sent from the mobile node. Again, the Examiner refers to RFC 2002, stating that RFC teaches a counter that indicates a number of packets and number of bytes received and sent to the mobile node. However, Applicant was unable to locate any mention in the RFC that discloses or suggests a counter that indicates a number of packets or bytes received by a mobile node or sent from a mobile node. Rather, the Examiner refers to page 15, lines 1-5 and page 41, lines 1-20 of RFC 2002. Page 15, lines 1-5 refer to agent advertisement and solicitation messages, as described above. Similarly, page 41, lines 1-20 of RFC 2002 also refer to agent advertisement messages. Since RFC 2002 neither discloses nor suggests the sending of a counter indicating a number of packets received by or sent from a mobile node, the Examiner has failed to make out a prima facie case of obviousness. Accordingly, Applicant respectfully submits that claims 2, 5, 9, 15-17, 20, 25, 29-31, and 34 are patentable over the cited references.

With respect to claims 4, 26, 28, 38, and 40, the Examiner claims that the admitted prior art teaches a server that is adapted for sending an accounting reply to a network device in response to an accounting request, citing page 3, lines 4-10, lines 25-30. Applicant respectfully traverses this assertion. Rather, page 3, lines 4-10 disclose the sending of a packet from and to a mobile node. Similarly, lines 25-30 merely disclose the use of SNMP and a manager station to examine or configure accounting information stored on a network device (e.g., Home Agent). Thus, the admitted prior art does not disclose or suggest the sending of an accounting request by the network device or the sending of an associated accounting reply by the server to the network device. Moreover, the Examiner admits that the admitted prior art fails to teach that the accounting reply acknowledges logging of accounting information pertaining to the mobile node. The Examiner refers to the registration of the mobile node with its Home Agent and acknowledgement response (e.g.,

registration reply). However, such a registration reply merely indicates that a registration is complete. A registration reply neither discloses nor suggests acknowledging logging of accounting information pertaining to a mobile node in response to an accounting request including at least one counter associated with the accounting information. Accordingly, Applicant respectfully asserts that claims 4, 26, 28, 38, and 40 are patentable over the prior art.

Moreover, with respect to claims 12, 22, and 36, the Examiner admits that the admitted prior art fails to teach a server where the server is a TACACS+ or RADIUS server. In addition, Applicant was unable to locate reference to a TACACS+ or RADIUS server on page 10, lines 7-10 of RFC 2002. Moreover, the cited references, separately or in combination, neither disclose nor suggest the claimed invention. Accordingly, Applicant respectfully submits that claims 12, 22, and 36 are patentable over the cited references.

Dependent claims 6-7, 14, 18, 32, 8, 19, 33, 11, 21, 35, and 24 depend from one of the independent claims and are therefore patentable over the admitted prior art in view of RFC 2002 for at least the same reasons. However, the dependent claims recite additional limitations that further distinguish them from the cited references. Hence, it is submitted that the dependent claims are patentable over the cited art.

Based on the foregoing, it is submitted that the independent claims are patentable over the cited references. In addition, it is submitted that the dependent claims are also patentable for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from the admitted prior art and RFC 2002. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1-40 under 35 USC §103(a).

## **SUMMARY**

Reconsideration of the application and an early Notice of Allowance are earnestly solicited. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. CISCPO77)



Respectfully submitted,  
BEYER, WEAVER & THOMAS, LLP

*Elise R. Heilbrunn*  
Elise R. Heilbrunn  
Reg. No. 42,649

BEYER, WEAVER & THOMAS, LLP  
P.O. Box 778  
Berkeley, California 94704-0778  
Tel. (510) 843-6200

**RECEIVED**  
**JUL 23 2001**  
Technology Center 2600